IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

WEDNESDAY, THE 13TH JUNE 2007 / 23RD JYAISHTA 1929

OP.No. 23193 of 1997(J)

PETITIONER:

---

1. M.KRISHNA PILLAI, MUTTATHEZHATHU, KUNNAMANGALAM SOUTH, CHETTIKULANGARA, MAVELIKKARA.

2. SOMAN N., VELUTHEDATHUKIZHAKETHIL, THAZHAKARA, MAVELIKKARA.

3. K.R.RAGHUNATH, KONNAKKOTTU, CHUNITHALA, MAVELIKKARA.

BY ADV. SRI.K.KARTHIKEYA PANICKER
SMT.DAYA K. PANICKER

RESPONDENTS:

---

1. STATE OF KERALA REPRESENTED BY THE SECRETARY, HEALTH & FAMILY WELFARE DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM.

2. DIRECTOR OF HEALTH SERVICES, KERALA, THIRUVANANTHAPURAM.

3. SUPERINTENDANT , GOVERNMENT HOSPITAL, MAVELIKKARA.

4. DISTRICT MEDICAL OFFICER, MEDICAL COLLEGE, ALAPPUZHA.

5. HOSPITAL DEVELOPMENT COMMITTEE, REPRESENTED BY ITS CHAIRMAN, MUNICIPALITY, MAVELIKKARA.

BY GOVT. PLEADER SMT.T.B.RAMANI

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 13/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER ON CMP NO.41427 OF 1997 IN OP NO.23193 OF 1997 J

//DISMISSED//

13.06.2007. SD/- THOTTATHIL B.RADHAKRISHNAN, JUDGE.

APPENDIX

PETIITONER'S EXHIBITS:

EXT.P1: TRUE COPY OF GO(MS)141/92 H & FWD DATED 25.4.97.

EXT.P2: TRUE COPY OF STAY ORDER IN CMP 25927/97 OF THIS HON'BLE COURT.

/TRUE COPY/

THOTTATHIL B.RADHAKRISHNAN, J.

O.P.No.23193 OF 1997

Dated this the 13th day of June, 2007

JUDGMENT

Petitioners and others were employed as Security Guards on daily wages. Though their remuneration was being paid at the rate of Rs.600/- per month, they are notified of liability to be terminated and of their status as daily rated workers. They were so appointed by the Hospital Development Committee. The Government, as per G.O.(MS) No.141/92 H & FWD dated 25.4.1997 (Ext.P1), issued guidelines for appointment and continuance of daily workers to ensure uniform procedure for appointment and continuance of staff by the Hospital Development Committees. The petitioners and others were terminated from service in terms of that Government Order since they have completed six months' period in service. The first petitioner was re-appointed on 30.10.1997 and the second petitioner was re-appointed on 27.10.1997. Since the appointment of the petitioners were in terms of Ext.P1, their

continuance in service beyond the period would not be considered. Under such circumstances, the stand of the respondents cannot be found fault with.

The writ petition fails and the same is accordingly dismissed.

THOTTATHIL B.RADHAKRISHNAN
Judge

kkb.

==========

THOTTATHIL B. RADHAKRISHNAN, J

O.P.NO.23193 OF 1997

JUDGMENT

13TH JUNE, 2007.

==========